

(Official Form 1) (12/03)

<b>FORM B1</b> <b>United States Bankruptcy Court</b> <b>Northern District of Illinois</b>		<b>Voluntary Petition</b>																												
Name of Debtor (if individual, enter Last, First, Middle): Kelly, Ill, James J		Name of Joint Debtor (Spouse) (Last, First, Middle):																												
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):																												
Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No. (if more than one, state all): xxx-xx-6987		Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No. (if more than one, state all):																												
Street Address of Debtor (No. & Street, City, State & Zip Code): 3849 Vardon Court Woodridge, IL 60517		Street Address of Joint Debtor (No. & Street, City, State & Zip Code):																												
County of Residence or of the Principal Place of Business: Du Page		County of Residence or of the Principal Place of Business:																												
Mailing Address of Debtor (if different from street address):		Mailing Address of Joint Debtor (if different from street address):																												
Location of Principal Assets of Business Debtor (if different from street address above):																														
<b>Information Regarding the Debtor (Check the Applicable Boxes)</b>																														
Venue (Check any applicable box) <p><input type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.</p> <p><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.</p>																														
Type of Debtor (Check all boxes that apply) <p><input checked="" type="checkbox"/> Individual(s)      <input type="checkbox"/> Railroad</p> <p><input type="checkbox"/> Corporation      <input type="checkbox"/> Stockbroker</p> <p><input type="checkbox"/> Partnership      <input type="checkbox"/> Commodity Broker</p> <p><input type="checkbox"/> Other      <input type="checkbox"/> Clearing Bank</p>		Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <p><input checked="" type="checkbox"/> Chapter 7      <input type="checkbox"/> Chapter 11      <input type="checkbox"/> Chapter 13</p> <p><input type="checkbox"/> Chapter 9      <input type="checkbox"/> Chapter 12</p> <p><input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding</p>																												
Nature of Debts (Check one box) <p><input checked="" type="checkbox"/> Consumer/Non-Business      <input type="checkbox"/> Business</p>		Filing Fee (Check one box) <p><input checked="" type="checkbox"/> Full Filing Fee attached</p> <p><input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only.) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.</p>																												
Chapter 11 Small Business (Check all boxes that apply) <p><input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101</p> <p><input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)</p>		<b>U.S. Bankruptcy Court</b> <b>Northern District Of Illinois</b> <b>Filed: 12/21/2004</b> <b>Time: 14:24:45</b> <b>Debtor: KELLY JAMES</b> <b>Case: 04-46862 Fee : 209</b> <b>Chapter: 7 Rec. # : 3116504</b> <b>Judge: John Squires</b> <b>341 mtg: 02/08/2005 @ 01:30PM</b> <b>Trustee: GINA KROL</b>																												
Statistical/Administrative Information (Estimates only) <p><input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors.</p> <p><input type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses are paid, there will be no funds available for distribution to unsecured creditors.</p>																														
Estimated Number of Creditors		1-15      16-49      50-99      100-199      200-999 <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>																												
Estimated Assets <table> <tr> <td>\$0 to \$50,000</td> <td>\$50,001 to \$100,000</td> <td>\$100,001 to \$500,000</td> <td>\$500,001 to \$1 million</td> <td>\$1,000,001 to \$10 million</td> <td>\$10,000,001 to \$50 million</td> <td>\$50 million to \$100 million</td> <td>\$100 million to \$500 million</td> <td>\$500 million to \$1 billion</td> <td>\$1 billion to \$5 billion</td> <td>\$5 billion to \$10 billion</td> <td>\$10 billion to \$50 billion</td> <td>\$50 billion to \$100 billion</td> <td>\$100 billion to \$500 billion</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>			\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50 million to \$100 million	\$100 million to \$500 million	\$500 million to \$1 billion	\$1 billion to \$5 billion	\$5 billion to \$10 billion	\$10 billion to \$50 billion	\$50 billion to \$100 billion	\$100 billion to \$500 billion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>								
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50 million to \$100 million	\$100 million to \$500 million	\$500 million to \$1 billion	\$1 billion to \$5 billion	\$5 billion to \$10 billion	\$10 billion to \$50 billion	\$50 billion to \$100 billion	\$100 billion to \$500 billion																	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																	
Estimated Debts <table> <tr> <td>\$0 to \$50,000</td> <td>\$50,001 to \$100,000</td> <td>\$100,001 to \$500,000</td> <td>\$500,001 to \$1 million</td> <td>\$1,000,001 to \$10 million</td> <td>\$10,000,001 to \$50 million</td> <td>\$50 million to \$100 million</td> <td>\$100 million to \$500 million</td> <td>\$500 million to \$1 billion</td> <td>\$1 billion to \$5 billion</td> <td>\$5 billion to \$10 billion</td> <td>\$10 billion to \$50 billion</td> <td>\$50 billion to \$100 billion</td> <td>\$100 billion to \$500 billion</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>			\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50 million to \$100 million	\$100 million to \$500 million	\$500 million to \$1 billion	\$1 billion to \$5 billion	\$5 billion to \$10 billion	\$10 billion to \$50 billion	\$50 billion to \$100 billion	\$100 billion to \$500 billion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>								
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50 million to \$100 million	\$100 million to \$500 million	\$500 million to \$1 billion	\$1 billion to \$5 billion	\$5 billion to \$10 billion	\$10 billion to \$50 billion	\$50 billion to \$100 billion	\$100 billion to \$500 billion																	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																	



1:04BK46862-BK001

**Voluntary Petition**

(This page must be completed and filed in every case)

Page

Name of Debtor(s):

Kelly, III, James J

FORM B1, Page 2

Location

Where Filed: - None -

**Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)**

Case Number:

Date Filed:

Name of Debtor:  
- None -

Case Number:

Date Filed:

District:

Relationship:

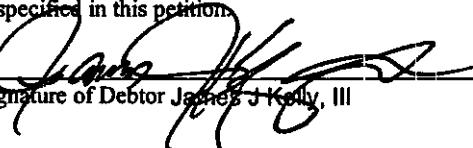
Judge:

**Signatures****Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** 

Signature of Debtor James J. Kelly, III

**X** \_\_\_\_\_

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

12/21/04

Date

**Signature of Attorney**

**X** 

Signature of Attorney for Debtor(s)

Sam Banayan, Esq. ARDC 6278956

Printed Name of Attorney for Debtor(s)

Adelman &amp; Gettleman, Ltd.

Firm Name

53 West Jackson Blvd.  
Suite 1050  
Chicago, IL 60604

Address

312-435-1050

Telephone Number

12/21/04

Date

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X** \_\_\_\_\_

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

**Exhibit A**

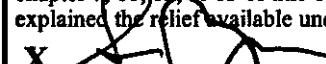
(To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11)

Exhibit A is attached and made a part of this petition.

**Exhibit B**

(To be completed if debtor is an individual whose debts are primarily consumer debts)

I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

**X**  12/21/04

Signature of Attorney for Debtor(s)  
Sam Banayan, Esq. ARDC 6278956

Date

**Exhibit C**

Does the debtor own or have possession of any property that poses a threat of imminent and identifiable harm to public health or safety?

Yes, and Exhibit C is attached and made a part of this petition.

No

**Signature of Non-Attorney Petition Preparer**

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number (Required by 11 U.S.C. § 110(c).)

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

**X** \_\_\_\_\_

Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

United States Bankruptcy Court  
Northern District of Illinois

In re James J Kelly, III

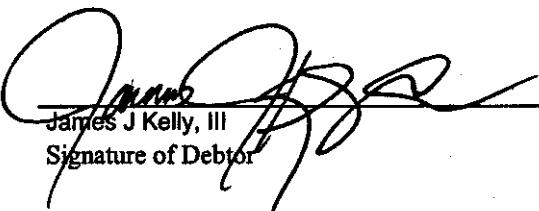
Debtor(s)

Case No.  
Chapter 7

**VERIFICATION OF CREDITOR MATRIX**

The above-named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date: 12/21/04

  
James J Kelly, III  
Signature of Debtor

AFNI - Cingular  
PO Box 3427  
Bloomington, IL 61702

American Express  
Risk MGMT  
PO Box 32462  
ATTN: Julie Lottes  
Columbus, OH 43232-2462

Archer Bank  
4970 S. Archer Avenue  
Chicago, IL 60632

Business Alliance Capital Corp.  
c/o KMZ Rosenman  
525 West Monroe Street  
Chicago, IL 60661

Citicorp  
c/o James Noonan  
Noonan & Lieberman  
105 W. Adams Suite 3000  
Chicago, IL 60603

Cook County Collector  
County Bldg., Room 301  
118 N. Clark St.  
Chicago, IL 60602

Creditor Services  
PO Box 34139  
Indianapolis, IN 46234-0139

David Kaminskas  
c/o Andrew June  
June, Proedehl & Renzi  
1861 Black Road  
Joliet, IL 60435

DuPage Medical Group  
1860 Paysphere Cir.  
Chicago, IL 60674

Goldstine Skrodska  
835 McClintock  
Burr Ridge, IL 60527

Grass one  
PO Box 431  
Westmont, IL 60559

Hinsbrook Bank  
718 Ogden Avenue  
Downers Grove, IL 60515

ICS - Connor  
PO Box 646  
Oak Lawn, IL 60454

Illinois Department of Revenue  
100 W. Randolph  
Bankruptcy Section-Level 7-425  
Chicago, IL 60601

Internal Revenue Service  
Special Procedures Branch  
P.O. Box 745  
Attn: C:SPB:SI STOP 5010-CHI  
Chicago, IL 60690-0745

James J. Kelly, Jr.  
596 Colonial Drive  
Hilton Head Island, SC 29926

John Lehman  
3407 White Eagle Drive  
Naperville, IL 60564

JP Morgan  
123 Main St.  
Bensenville, IL 60160

Kelly Doyle

Larry Anderson  
c/o Lawrence Rubin  
Skefsky & Froelich  
444 North Michigan Ave.  
Chicago, IL 60611

Lorinda S. Kelly

LTD Financial Services  
7322 Southwest Hgwy  
Houston, TX 77074

MBNA Mastercard  
PO Box 15019  
Wilmington, DE 19850-5019

Regency Bank  
24 N. Washington  
Naperville, IL 60540

Scalambrino Arnoff  
33 North LaSalle Street  
Suite 1210  
Chicago, IL 60602

Steve Eldridge  
12844 Cold Springs Rd.  
Huntley, IL 60142

Valley Bank  
620 E. Main Street  
Saint Charles, IL 60174

Vilas County  
330 Court Street  
Eagle River, WI 54521

Washington Mutual  
PO Box 44118  
Jacksonville, FL 32231-4118

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
NOTICE TO INDIVIDUAL CONSUMER DEBTOR

The purpose of this notice is to acquaint you with the four chapters of the federal Bankruptcy Code under which you may file a bankruptcy petition. The bankruptcy law is complicated and not easily described. Therefore, you should seek the advice of an attorney to learn of your rights and responsibilities under the law should you decide to file a petition with the court. Court employees are prohibited from giving you legal advice.

**Chapter 7: Liquidation (\$155 filing fee plus \$39 administrative fee plus \$15 trustee surcharge)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts.
2. Under chapter 7 a trustee takes possession of all your property. You may claim certain of your property as exempt under governing law. The trustee then liquidates the property and uses the proceeds to pay your creditors according to priorities of the Bankruptcy Code.
3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, your discharge may be denied by the court, and the purpose for which you filed the bankruptcy petition will be defeated.
4. Even if you receive a discharge, there are some debts that are not discharged under the law. Therefore, you may still be responsible for such debts as certain taxes and student loans, alimony and support payments, criminal restitution, and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs.
5. Under certain circumstances you may keep property that you have purchased subject to valid security interest. Your attorney can explain the options that are available to you.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$155 filing fee plus \$39 administrative fee)**

1. Chapter 13 is designed for individuals with regular income who are temporarily unable to pay their debts but would like to pay them in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
2. Under chapter 13 you must file a plan with the court to repay your creditors all or part of the money that you owe them, using your future earnings. Usually, the period allowed by the court to repay your debts is three years, but no more than five years. Your plan must be approved by the court before it can take effect.
3. Under chapter 13, unlike chapter 7, you may keep all your property, both exempt and non-exempt, as long as you continue to make payments under the plan.
4. After completion of payments under your plan, your debts are discharged except alimony and support payments, student loans, certain debts including criminal fines and restitution and debts for death or personal injury caused by driving while intoxicated from alcohol or drugs, and long term secured obligations.

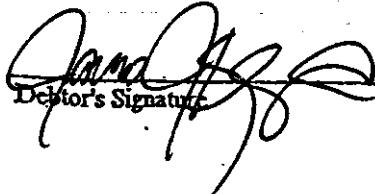
**Chapter 11: Reorganization (\$800 filing fee plus \$39 administrative fee)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a Chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer (\$200 filing fee plus \$39 administrative fee)**

Chapter 12 is designed to permit family farmers to repay their debts over a period of time from future earnings and is in many ways similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm.

I, the debtor, affirm that I have read this notice.

  
Debtor's Signature

Date

12/21/04

Case Number